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13 HOME DEPOT U.S.A., INC.
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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

WILLIAM J. PASIECZNIK,
Plaintiff,

v.

HOME DEPOT U.S.A., INC.; a foreign
Corporation authorized to conduct business in
Nevada; DOE PROPERTY OWNER; ROE
PROPERTY OWNER; DOE PROPERTY
MANAGER; ROE PROPERTY
MANAGEMENT COMPANY; DOE
SECURITY EMPLOYEE; ROE SECURITY
COMPANY; DOES I through X; and ROE
CORPORATIONS, XI through XX,
inclusive, jointly and severally,
Defendants.

Case No. 2:20-cv-02202-RFB-BNW

**STIPULATED DISCOVERY PLAN
AND SCHEDULING ORDER IN
COMPLIANCE WITH LR 26-1(b) TO
EXTEND DISCOVERY DEADLINES**

(Second Request)

Plaintiff WILLIAM PASIECZNIK and Defendant HOME DEPOT U.S.A., INC. (“Home Depot”) by and through their attorneys of record hereby jointly stipulate and respectfully request this Honorable Court order a continuance of the discovery deadlines for 90 days pursuant to FRCP 26 and Local Rule 26-1.

1. Discovery completed: To date, the Parties have exchanged Initial Disclosures and have exchanged written discovery requests.

2. Discovery remaining to be completed: The Parties intend to conduct the following depositions: (1) Deposition of the Plaintiff, (2) Depositions of the City of Henderson police officers; (3) the City of Henderson Fire Department representatives; and (4) conduct an independent medical examination(s) of the Plaintiff. Home Depot noticed the deposition of the Plaintiff but his attorney withdrew three days before the deposition so the plaintiff's deposition had to be re-noticed to afford him time to find another attorney.

3. Description of why remaining discovery has not been completed within the time limits previously set by the Court: The Parties have good cause for the 90 day extension of the discovery deadlines because Plaintiff's Counsel recently substituted into the case on June 30, 2021.

4. Proposed schedule for completing all remaining discovery: Based on the foregoing, the Parties respectfully request that the Court grant their joint request to extend the discovery deadlines, as follows:

	Current Dates	Proposed Dates
Last day to make initial expert disclosures	July 7, 2021	October 5, 2021
Last day to make rebuttal expert disclosures	August 9, 2021	November 8, 2021
Discovery Cut-Off	September 6, 2021	December 6, 2021
Dispositive Motions	October 5, 2021	January 3, 2022
Pretrial Order	November 4, 2021	February 2, 2022

Pursuant to Local Rule 26-4, this Stipulation was agreed upon telephonically as soon as new counsel substituted into the case. Plaintiff was in proper person in the 21 days before the first deadline but was actively looking for a new attorney. Home Depot transmitted the file materials to Plaintiff's counsel and he needs additional time to review the file materials in the case. The Parties' request is made in good faith and not for purposes of delay.

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IT IS SO STIPULATED.

DATED: July 6, 2021

BOWEN LAW OFFICES

By /s/ Jerome R. Bowen
JEROME R. BOWEN
JEFFREY W. CHRONISTER
Attorneys for Plaintiff
WILLIAM J. PASIECZNIK

DATED: July 6, 2021

BURNHAM BROWN

By /s/ Lynn V. Rivera
LYNN V. RIVERA
Attorneys for Defendant
HOME DEPOT U.S.A., INC.

Order

The Court reviewed the parties' stipulation to extend discovery. ECF No. 23. The parties state that good cause exists to grant an extension of the discovery deadlines because Plaintiff's counsel recently substituted into this case. Under the Local Rule IA 11-6(d), "substitution of an attorney will not alone be reason for delay of pretrial proceedings, discovery, the trial, or any hearing in the case." Accordingly, ECF No. 23 is DENIED without prejudice.

IT IS SO ORDERED

DATED: 2:07 pm, July 09, 2021



**BRENDA WEKSLER
UNITED STATES MAGISTRATE JUDGE**